

DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION

As below named inventors, we hereby declare that:

TYPE OF DECLARATION

This declaration is of the following type:

☒ Utility

INVENTORSHIP IDENTIFICATION

Our residences, post office addresses and citizenships are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

CELLULAR TELEPHONE SYSTEM THAT
USES POSITION OF A MOBILE UNIT
TO MAKE CALL MANAGEMENT DECISIONS

SPECIFICATION IDENTIFICATION

the specification of which:

☒ is attached hereto.

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims as amended by any amendment referred to above.

We acknowledge our duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56 (a).

☒ In compliance with this duty, there is attached an information disclosure statement. 37 CFR 1.97.

PRIORITY CLAIM

We hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America

0986643-094500

filed by us on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

☒ no such applications have been filed.

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, we acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

☒ The present application is a continuation-in-part of pending US Application Serial Number 08/555,884, filed 10/23/95 which is a continuation-in-part of US Application Serial Number 08/402,976, filed 03/13/95, which was a CIP of US Application Serial Number 07/813,495, filed 12/26/91, which is a continuation of US Application Serial Number 08/057,833, filed 05/07/93 which is a continuation of US application 07/813,494, filed 12/26/91 and issued as US Patent 5,235,633.

POWER OF ATTORNEY

As a named inventors, we hereby appoint the following attorney to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Terry M. Gernstein
Reg. No. 26,891

Send all correspondence to:

Terry M. Gernstein
1015 Salt Meadow Lane
McLean, VA 22101

Direct Telephone Calls to:

Terry M. Gernstein
(703) 790-5945

DECLARATION

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURES

Full name of first inventor: Everett Dennison

Inventor's signature: Everett Dennison

Date: 3-8-96 Country of Citizenship: United States

Residence: 200 Glenview, Canfield, OH 44406

Post Office Address: The same as above residence address

Full name of second inventor: Timothy J. Duffy

Inventor's signature: Timothy J. Duffy

Date: 3-8-96 Country of Citizenship: United States

Residence: 44 ELLIOT RD ~~102 Eliot Rd~~, West Middlesex, PA 16159

Post Office Address: The same as above residence address

Full name of third inventor: Gregory T Pauley

Inventor's signature: Gregory T Pauley

Date: 3/8/96 Country of Citizenship: United States

Residence: 7725 MCADAMWOOD DR. ~~99 Hilltop Blvd.~~, Canfield, OH 44406

Post Office Address: The same as above residence address

RECEIVED

Full name of fourth inventor: Scott L. Jones

Inventor's signature: Scott L. Jones

Date: 3-8-96 Country of Citizenship: United States

Residence: 93 White Ave., Sharon, PA 16146

Post Office Address: The same as above residence address

Full name of fifth inventor: Albert H. Pharis, Jr.

Inventor's signature: Albert H. Pharis Jr.

Date: 3-8-96 Country of Citizenship: United States

Residence: 7130 Racoon Road, Canfield, OH 44406

Post Office Address: The same as above residence address

Full name of sixth inventor: Warren P. Williamson, IV

Inventor's signature: Warren P. Williamson

Date: 3-11-96 Country of Citizenship: United States

Residence: 101 Southbend Court, Loveland, OH 45140-7134

Post Office Address: The same as above residence address

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VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(F) AND 1.27 (b) - INDEPENDENT INVENTOR

As below named inventors, we hereby declare that we qualify as an independent inventor as defined in 37 CFR 1.9 (c) for purposes of paying reduced fees under section 41 (a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled:

CELLULAR TELEPHONE SYSTEM THAT
USES POSITION OF A MOBILE UNIT
TO MAKE CALL MANAGEMENT DECISIONS

described in the specification being filed herewith.

We have not assigned, granted, conveyed or licensed and are under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9 (c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).

Each person, concern or organization to which we have assigned, granted, conveyed, or licensed or are under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

☒ Sygnet Communications, Inc.

We acknowledge our duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date of on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b)).

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor: Everett Dennison

Everett Dennison
Signature of Inventor

Date: 3-8-96

Signature of Inventor

~~Inventor: Gregory T Pauley~~

Signature of Inventor

Signature of Inventor

Inventor: Albert H. Pharis, Jr.

Signature of Inventor

Signature of Inventor

Date: 3-11-76

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS - SMALL BUSINESS

I hereby declare that I am

☒ an official of the small business concern empowered to
act on behalf of the concern identified below:

NAME OF CONCERN: SYGNET Communications, Inc.

ADDRESS OF CONCERN: 3930 Sunset Blvd., Youngstown, OH
44512

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18 and reproduced in 37 CFR 1.9(d), for purposes of for purposes of paying reduced fees under section 41 (a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed, to and remain with the small business concern identified above with regard to the invention entitled:

CELLULAR TELEPHONE SYSTEM THAT
USES POSITION OF A MOBILE UNIT
TO MAKE CALL MANAGEMENT DECISIONS

by Inventors: Dennison, et al

described in the specification filed herewith

I acknowledge my duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date of on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b)).

[illegible]

SIGNATURE: Albat H. Paris J. DATE: 3-8-96

Post Office Address: The same as above residence address

(hereinafter referred to as (ASSIGNOR), having invented and owning a certain invention entitled:

CELLULAR TELEPHONE SYSTEM THAT
USES POSITION OF A MOBILE UNIT
TO MAKE CALL MANAGEMENT DECISIONS

for which application for Letters Patent has been executed on even date herewith,

WHEREAS:

SYGNET Communications, Inc.
6550 Seville Drive, Canfield, OH 44406
United States of America

(hereinafter referred to as ASSIGNEE), is desirous of acquiring the entire interest in, to and under said invention and in, to and under Letters Patent or similar legal protection to be obtained therefor in the United States and in any and all foreign countries.

NOW, THEREFORE, TO WHOM IT MAY CONCERN: Be it known that consideration of payment by ASSIGNEE to ASSIGNOR of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration, ASSIGNOR hereby sells, assigns and transfers to ASSIGNEE the full and exclusive right, title and interest to said invention in the United States and its territorial possessions and in all foreign countries to be obtained for said invention by said application or any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in foreign country for the full term or terms for which the same may be granted.

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment and sale;

ASSIGNOR further covenants that ASSIGNEE will, upon is request, be provided promptly with pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents in foreign countries as may be known and accessible to ASSIGNOR and will testify as to same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments, or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof in any foreign country which may be necessary or desirable to carry out the purposes thereof.



IN WITNESS WHEREOF, We have hereunto set hand and seal:

Full name of first inventor: Everett Dennison

Inventor's signature: Everett Dennison

Date: 3-8-96

Full name of second inventor: Timothy J. Duffy

Inventor's signature: Timothy J. Duffy

Date: 3-8-96

Full name of third inventor: Gregory T Pauley

Inventor's signature: Gregory T. Pauley

Date: 3-8-96

Full name of fourth inventor: Scott L. Jones

Inventor's signature: Scott L. Jones

Date: 3-8-96

Full name of fifth inventor: Albert H. Pharis, Jr.

Inventor's signature: Albert H. Pharis, Jr.

Date: 3-8-96

Full name of sixth inventor: Warren P. Williamson, IV

Inventor's signature: Warren P. Williamson, IV

Date: 3-11-96

ASSIGNMENT

WHEREAS:

Full name of first inventor: Everett Dennison

Inventor's signature: Everett Dennison

Date: 3-8-96 Country of Citizenship: United States

Residence: 200 Glenview, Canfield, OH 44406

Post Office Address: The same as above residence address

Full name of second inventor: Timothy J. Duffy

Inventor's signature: Timothy J. Duffy

Date: 3-8-96 Country of Citizenship: United States

Residence: ^{44 ELLIOT RD} ~~102 Elliot Rd~~, West Middlesex, PA 16159

Post Office Address: The same as above residence address

Full name of third inventor: Gregory T Pauley

Inventor's signature: Gregory T Pauley

Date: 3/8/96 Country of Citizenship: United States

Residence: ^{7725 MEADOWLAND DR.} ~~99 Hilltop Blvd.~~, Canfield, OH 44406

Post Office Address: The same as above residence address

Full name of fourth inventor: Scott L. Jones

Inventor's signature: Scott L Jones

Date: 3-8-96 Country of Citizenship: United States

Residence: 93 White Ave., Sharon, PA 16146

Post Office Address: The same as above residence address

Full name of fifth inventor: Albert H. Pharis, Jr.

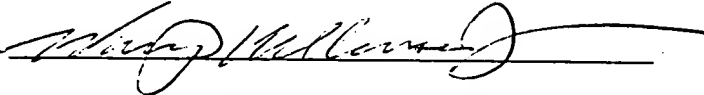
Inventor's signature: Albert H. Pharis Jr.

Date: 3-8-96 Country of Citizenship: United States

Residence: 7130 Racoon Road, Canfield, OH 44406

Full name of sixth inventor: Warren P. Williamson, IV

Inventor's signature:



Date: 3-11-96 Country of Citizenship: United States

Residence: 101 Southbend Court, Loveland, OH 45140-7134

Post Office Address: The same as above residence address